

ORDINANCE NO. 493

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, EXCLUDING REAL PROPERTY CURRENTLY WITHIN THE CORPORATE BOUNDARY OF THE CITY; DIRECTING THAT COPIES OF THE ORDINANCE BE FILED AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho, (THE "City") is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to exclude territory from its boundaries in the manner provided by Idaho Code §50-225; and

WHEREAS, the owner of the real property currently located within the corporate boundary of the City and described as 0 Hartley Lane, Assessor's Tax Parcel No. R34442000, Middleton, Idaho, has requested, in writing, exclusion of said real property from the City of Middleton; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 16, 2012, as required by Idaho Code §67-6525 and recommended to the Mayor and Council that they approve the request for de-annexation from the City; and

WHEREAS, the Middleton City Council, pursuant to public notice as required by law, held a public hearing on July 18, 2012, on the exclusion request, as required by Idaho Code 67-6525;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1: The Middleton City Council hereby finds and declares that the real property described as 0 Hartley Lane, Assessor's Tax Parcel No. R34442000, Middleton, Idaho, is not necessary for the orderly development of the City, and that the owner of said property has requested in writing exclusion from the City.

Section 2: The real property, currently situated within the corporate boundaries of the City, is hereby excluded from the territorial limits of the City of Middleton, Idaho.

Section 3: From and after the effective date of this ordinance, all property and persons within the boundaries and territory described above shall no longer be subject to the ordinances, resolutions, police regulations, taxation and other powers of the City of Middleton, Idaho, save only that the property shall not be relieved from its liability on account of any outstanding bonded or other indebtedness of the City of Middleton or any improvement district, if any.

Section 4: The Zoning Map is hereby amended to reflect the exclusion of the property from the City of Middleton, Idaho.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of the passage, approval and publication of this ordinance, a certified copy of this ordinance with the offices of the Auditor, Treasurer and Assessor of Canyon County, Idaho, and with the Idaho State Tax

Commission, Boise, Idaho, as required by Idaho Code §50-225, and to comply with the provisions of Idaho Code §63-215, with regard to the preparation and filing of a map and legal description of the real property excluded by the ordinance.

Section 6: This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Idaho Code §50-901A may be published.

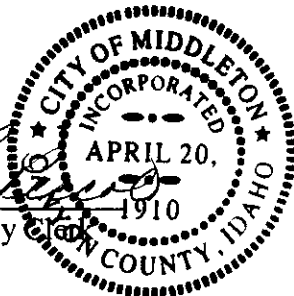
DATED this 15th day of August, 2012.

CITY OF MIDDLETON
Canyon County, Idaho

By: Darin J. Taylor
Darin J. Taylor, Mayor

ATTEST:

Cindy LoPiccolo
Cindy LoPiccolo, City Clerk



**T-O ENGINEERS**

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
 9777 CHINDEN BOULEVARD
 BOISE, IDAHO 83714-2008
 208-323-2288 • FAX 208-323-2399

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PARCEL "B"
DESCRIPTION OF LAND

A portion of the SE1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 1, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the center one-quarter corner of said Section 1; thence, along the south line of said SE1/4 of the NW1/4,

- 1) N.89°37'59"W., 1345.42 feet to the southwest corner of said SE1/4 of the NW1/4 (CW 1/16 corner); thence, along the south line of said SW1/4 of the NW1/4,
- 2) N.89°37'58"W., 97.96 feet to the centerline of the Middleton Mill Ditch; thence, along said centerline the following courses:
- 3) N.70°13'22"E., 29.15 feet; thence,
- 4) N.78°11'52"E., 46.45 feet; thence,
- 5) N.67°55'05"E., 56.09 feet; thence,
- 6) N.58°23'10"E., 43.51 feet; thence,
- 7) N.50°39'29"E., 56.21 feet; thence,
- 8) N.55°16'54"E., 29.46 feet; thence,
- 9) N.79°00'45"E., 27.73 feet; thence,
- 10) N.88°29'51"E., 74.93 feet; thence,
- 11) N.76°27'54"E., 38.47 feet; thence,
- 12) N.66°05'22"E., 77.84 feet; thence,
- 13) N.74°16'12"E., 140.85 feet; thence,
- 14) N.71°09'08"E., 73.35 feet; thence,
- 15) N.76°44'34"E., 28.17 feet; thence,
- 16) S.83°23'00"E., 25.48 feet; thence,
- 17) S.69°33'17"E., 38.66 feet; thence,

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- 18) S.58°25'35"E., 34.02 feet; thence,
- 19) S.66°17'40"E., 29.80 feet; thence,
- 20) S.74°14'21"E., 112.63 feet; thence,
- 21) S.73°11'56"E., 58.91 feet; thence,
- 22) S.69°11'22"E., 75.06 feet; thence,
- 23) S.74°31'25"E., 154.71 feet; thence,
- 24) S.63°03'11"E., 86.03 feet; thence,
- 25) S.67°27'35"E., 57.21 feet; thence,
- 26) S.77°37'41"E., 52.38 feet; thence,
- 27) S.88°10'36"E., 46.59 feet; thence,
- 28) N.71°29'37"E., 44.23 feet to the east line of said SE1/4 of the NW1/4; thence,
leaving said centerline, along said east line,
- 29) S.01°12'23"W., 19.67 feet to the **POINT OF BEGINNING**.

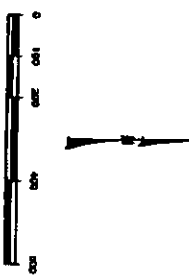
The above-described parcel **CONTAINS 3.90 Acres.**

SUBJECT TO: all Covenants, Rights, Rights-of-Way, Easements, Record Documents and all other Encumbrances.



MADE FOR BOB WATSON
A PORTION OF GOVERNMENT LOT 3 AND THE SW/4 OF THE NW/4 AND
THE SW/4 OF THE NW/4 OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 3 WEST,
BOISE MERIDIAN, CANYON COUNTY, IDAHO
2012

LINE TABLE		
LINE	ADDRESS	HEXADIC
L41	0001120E	7640
L42	0101120E	14471
L43	0000011E	0040
L44	0072720E	0721
L45	0172011E	2230
L46	0001020E	4030
L47	0170020E	4433
L48	511E250E	1840



• FOUND BRASS CAP MONUMENT
 • FOUND ALUMINUM CAP MONUMENT
 • FOUND 5/8" IRON PIN
 • SET 5/8" IRON PIN W/ PLASTIC CAP
 • CALCULATED POINT - NOTHING SET

(12227) RECORDED DATA PER PLAN OF NORTHWEST PASSAGE
 PLS NUMBER ON FOUND OR SET CAP
 (1990)

REFERENCE IS MADE TO THE FOLLOWING :

RECORD OF SURVEY INSTRUMENT NO. 2004-04402
RECORD OF SURVEY INSTRUMENT NO. 2008-12018
RECORD OF SURVEY INSTRUMENT NO. 2007-043065

1. SITUATION. FREEMAN DO HONORS CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF CALIFORNIA. I HAVE REPRESENTED AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND COMPLIES WITH ACCEPTED STANDARDS OF SURVEYING. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH TITLE 24, CHAPTER 14, BOUND CODE.


T-O ENGINEERS

DATE	NOV 09	TIME	08:00
FROM	NEW YORK	TO	NEW YORK
SUBJECT	SECRET NO. 1 OF 1		



CITY OF MIDDLETON

P.O. Box 487 ▪ 6 N. Dewey ▪ Middleton, ID 83644 ▪ (208) 585-3133 ▪ Fax (208) 585-9601
citmid@middletonidaho.us ▪ www.middleton.id.gov

August 27, 2012

Idaho State Tax Commission
Craig Johnson, Mapping Department
P.O. Box 36
Boise ID 83722-0410

Subject: City of Middleton, Idaho – **De-Annexation, 0 Hartley Lane, Assessor's Tax Parcel No. R34442000, Middleton, Idaho (Robert Watson, applicant/property owner)**

SITE DATA: Approximately 3.9 acres of vacant land lying south of the Middleton Mill Ditch approximately 675 feet west of Hartley Lane in the Southeast Quarter of the Northwest Quarter of Section 1, Township 4 North, Range 3 West, Boise Meridian, Middleton, Idaho.

Dear Mr. Johnson,

Enclosed please find a copy of Ordinance No. 493, with legal description and map, pertaining to requested de-annexation of property from the boundaries of the City of Middleton, Idaho.

The City's zoning map will be amended to reflect the exclusion of the property from the City of Middleton, Idaho, and we understand that the de-annexation will not be effective with your office until 2013.

Please contact me if you have any questions. Thank you.

Very truly yours,

Cindy LoPiccolo, City Clerk
City of Middleton, Idaho

Enclosures

RECEIVED
AUG 30 2012
STATE TAX COMMISSION
CLERK #5